



Editor's Foreword,

By Elizabeth Humphreys

— Transitions —

Webster's New Collegiate Dictionary defines transition as "passage from one state, stage, or place to another: change." This issue looks at many of the "Transitions" occurring in the legal profession, including articles on sexual harassment in law firms, investing in clients, multidisciplinary practices, how media attention and scrutiny have transformed the practice of law and many other issues involving change in our profession.

Johnny Darnell Griggs evaluates why law firms have not been immune from sexual harassment and allegations of sexual harassment despite seemingly having the knowledge and expertise to avoid these claims. He reviews the magnitude of the issue and the cultural reasons why law firms are vulnerable to incidents and claims of sexual harassment including law firm arrogance and power structures.

Joseph F. Troy examines the benefits and pitfalls of taking stock in a client's company. He cautions lawyers and law firms not to invest in a client's business without a thorough understanding of their fiduciary responsibilities and ethical obligations and all regulatory requirements.

Ellen R. Peck reviews the status of multidisciplinary practices. She predicts that the debates within the legal profession and judiciary regarding multidisciplinary practices will not lead to any major changes for at least five years perhaps resulting in policy decision making being taken out of the hands of the profession by consumers and legislators.

Robert G. Wilson explores the impact of mass media attention on the legal profession and how increased publicity has adversely affected members of the profession by reducing job satisfaction and increasing "disconnectedness."

Mark L. Share discusses the trend toward admission of expert legal testimony. While acknowledging the historical position that each courtroom's legal expert is its judge, he analyzes those cases and statutes that have eroded this standard and contends that expert testimony on issues of law is necessary in today's complex legal environment.

The Honorable Manuel A. Ramirez chronicles the success of the Volunteer Attorney-Mediator, Mandatory Settlement Conference Program at the California State Court of Appeal, Fourth District, Division Two. He estimates that this innovative program has saved the court at least a million dollars since its inception in 1991 and congratulates the pro bono volunteer attorney-mediators for the invaluable service they have provided in making the program successful.

Russ Balisok presents a challenging discussion regarding elder abuse litigation including his theories on how to use the legal system to prevent elder abuse. He argues that the Elder Abuse Act cannot fulfill its promise as a deterrent to elder abuse until insurance carriers are relieved of their obligation to defend or indemnify nursing homes under the Elder Abuse Act.

The Honorable Richard D. Aldrich's judicial opinion describes and analyzes California's "bold new" complex civil litigation program. He commends the Judicial Counsel's Complex Civil Litigation Task Force for creating a structure for handling complex civil litigation cases in an effort to give parties with complex legal disputes an incentive to litigate their differences in the California court system.

— Looking Ahead —

Our next issue will take a practical look at "Discovery." We will feature articles on formal and informal discovery, the impact technology has had on discovery, criminal discovery techniques and writs related to discovery issues.

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The journal is sent free to members of the Litigation Section.

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